Final Minutes

Trinity Adaptive Management Working Group

Victorian Inn, 1709 Main Street, Weaverville, CA

Tuesday, June 19, 2007

The meeting was open to the public.

9:28 AM

Attending members:

Member:	Representative Seat:
Arnold Whitridge (Chairman)	Safe Alternatives for Forest Environment
Ed Duggan	Willow Creek Community Service District
Richard Lorenz	Trinity County Resident
Serge Birk	Central Valley Project Water Association
Byron Leydecker	Friends of Trinity River
James Feider	City of Redding Electric Utility Department
Tom Weseloh	California Trout, Inc
James Spear	Natural Resources Conservation Service
Ann Hayden (alternate) *	Environmental Defense
Pat Frost	Trinity County Resource Conservation District

* Left during discussion of Item 10.

Members that did not attend:

Member:	Representative Seat:
Elizabeth Soderstrom	Natural Heritage Institute
Joan Hartmann	Local Landowner
Dana Hord	Big Bar Community Development Group
David Steinhauser	Six Rivers Outfitter and Guide Association
Dan Haycox	Miners Alliance

Designated Federal Officer: Randy Brown, Fish and Wildlife Service, Arcata, CA.

1. Adopt Agenda Approval of Minutes

Arnold Whitridge, chairman of the Trinity Adaptive Management Working Group (TAMWG), opened the meeting; the members introduced themselves and members of the audience introduced themselves.

Changes to March 2007 minutes

No changes were suggested to the March 2007 minutes.

Ed Duggan made a motion to accept the March 2007 minutes.

Rich Lorenz seconded the motion.

The motion passed unanimously.

2. Open forum; public comment

No public comment.

3. Current TAMWG membership; quorum; bylaws re voting

Arnold Whitridge summarized the current membership, the requirements for a quorum and TAMWG bylaws requirement for passing a motion. Steve Anderson had resigned his membership and that there were now 15 members. A majority (at least 8 members) is the required quorum to hold a meeting. The bylaws require an affirmative vote of 9 members for action items. Most decisions that have been made have been unanimous.

There was discussion about the proper number needed for a majority (decision making) and whether members should be dropped if they stop coming to meetings. For now, Elizabeth Soderstrom and Dan Haycox will continue as members.

Byron Leydecker made the motion that affirmative action by TAMWG requires 60 % of the attending members. And any minority opinions be expressed in the minutes and relayed to the TMC.

Seconded by Tom Weseloh.

There were five affirmative votes and the motion did not pass.

Tom Weseloh made the motion that affirmative action by TAMWG requires the greater of 7 votes or 60 % of the attending members.

Seconded by Byron Leydecker.

The motion passed. Serge Birk opposed.

4. Channel rehabilitation design, process, & status

Rod Wittler prefaced the presentations by various Trinity River Restoration Program (TRRP) staff. He noted that the presentations and information was the result of a variety of efforts of an entire team that worked collaboratively via a number of meetings. He also noted that the results are still a "work in progress."

John Klochak began the presentation about the plans to complete the implementation design process (hardcopy of the presentation is available as Attachments 1 and 1a). He summarized that there are 47 potential sites with 24 were selected for Phase 1 and 23 for Phase 2. There are now 8 remaining sites of the Phase 1 sites. The final steps are underway to get these going. He presented a slide with a list of the 8 remaining sites.

He summarized plans for Phase 2. In essence, they are going to develop design concepts for the sites. Site visits are scheduled and design concepts are going to be finalized by September 2007 so the Environmental Impact Reports can be started. Klochak is leading the design concepts group. The concepts are delivered to various contractors to allow responses to RFPs. Sites were selected based on geomorphic and biological scores—presence of berms, proximity to sediment sources, and proximity to spawning areas. The master EIR is scheduled for April 2008. Construction should occur August 2008.

Dave Gaeuman summarized the current work as being more creative—he noted they are not seeking to clear as many large areas, but are seeking to make the environment more complex. They are using site-specific hypothesis to increase complexity. The hypotheses make statements about how the sites will look in the future and this hasn't been done before. John Klochak noted that some large floodplain lowering sites are still being considered. Klochak in responding to more questions said that the during the field visits last week, the design team did not have significant disagreements about the proposed actions. Tom Weseloh commented that the staff goes through a detailed discussion/analysis during meetings on these proposed projects and that the TAMWG members and members of the audience are encouraged to attend some of these meetings to see this process. Rod Wittler also commented that the questions and interest of the TAMWG members was highly valued.

Brandt Gutermuth next presented the Environmental Impact Review (EIR) process for these proposed projects. He summarized the purpose and goals of the EIR and some of its shortcomings. He described a plan to do a master EIR to cover the remaining implementation projects. Their goals are to streamline the process.

Jim Feider commented that the power contractors are supportive of the efforts to streamline the EIR process.

5. Habitat/Geomorphic/Riparian mapping; "baseline" status

Dave Gaeuman started the presentation on the status of mapping and habitat assessment (hardcopy of the presentation is available as Attachment 2). He introduced the main topics: formation of a Habitat Assessment Working Group (HAWG), status of baseline data, ongoing evaluations, Indian Creek, and habitat use validation efforts.

John Klochak described HAWG as a newly formed focus group to develop strategies for assessing habitat. The baseline refers to what is known or what data exists that describes the "baseline conditions" of the Trinity River before restoration began. There exist some disagreements about whether adequate baseline data exists. The baseline should be able to help project how much potential habitat is out there and whether restoration is having its intended effects. Dave Gaeuman described some of the better baseline data as composed of studies from the 1980's: 8 or so sites have transects, flow, substrates, cover assessments, and these have been used to create weighted useable habitats that have been extrapolated to entire river.

Nina Hemphill next described some of the recent efforts on habitat assessments. She noted upcoming workshops that will examine data collected since 2002-06 and that there have been very interesting discussions. She next briefly described 2d modeling effort, Expert Habitat Modeling (judgment-based method), and biomonitoring. She noted several reports are being prepared. She showed some graphics from 2d modeling that can show pre- and post-project depths and velocities. The graphics show that the Hocker Flat project increased fry habitat. But during high flows, they did not see any chinook using the habitat, but steelhead fry was using it. She thought that, as vegetation establishes on the projects, this should attract more fish. In response to questions, she noted that the P-Habitat Sim model produced estimates of habitat in the early 1990's. They are planning to compare different methods of assessing habitats this summer.

Dave Gaeuman next commented on plans to assess habitat in Indian Creek before the construction begins this summer. They want to create a geomorphic map and map the edge habitat as fry habitat. Bio-mapping is being considered. This involves depth breaks along edges and velocity breaks processed by GIS. Another assessment is weighted-useable area, similar to what is done in flow studies. This requires too many transects. There are limitations of time and resources.

Responding to questions, Gaeuman said that the idea of pre-project monitoring is to be able to assess changes in habitat due to the project. This wasn't done at Hocker Flat or Steiner Flat and he admitted that they haven't done a real good job in assessing habitat. Nina Hemphill noted that there was biomonitoring and 2d modeling at Hocker Flat, but not all the sites have had pre-project monitoring. Serge Birk noted that the basic condition of the habitat was known and that this was the basis of the restoration.

Hemphill noted that fry has been seen using new side channels and near structures this spring (March 2007 dive surveys). She showed slide indicating locations of fry sightings near Indian Creek. She said they focused on areas planned for restoration and they expect to see increases in fry after the project. They will have the data to test their expectations. She commented on the dynamic and interesting discussions occurring but basically acknowledged that they do not understand the relationships between restoration (specifically geomorphic changes) with benefits to fish habitat. She noted that one can download reports for Klamath fish-health monitoring from the Arcata Fish and Wildlife website.

Tom Weseloh asked how well the TRRP is following the recommendations of the SAB to test and decide on best method for assessing habitat. Hemphill said that the SAB requires

that the TRRP actually test the predictions of habitat creation. She noted that they do have the data to validate the EHM model, but this has not been done. John Klochak added that they are not ignoring the SAB comments and as an example, they have evaluated the potential use of using the 1 ½ d model. They are going to compare the methods and there is a workshop being planned. Tom Weseloh asked if this will go back to the SAB for review. Klochak said yes.

Serge Birk asked if they are assessing habitat by fish presence or by habitat conditions. Hemphill noted that the basis of habitat assessment is habitat suitability criteria (i.e., conditions not fish presence). The data collected in 1990 did not consider cover. Cover was assessed in 2002-03. They are assessing habitat is based on depth, velocity and cover and the result is considered "potential habitat." Lack of fry in habitat may be due to low numbers not habitat. She noted that surveys this spring shows that manipulations have the ability to attract fry. Manipulations to allow water access to floodplains necessitate removal of vegetation and cover. Cover may take a few more years to recover and re-establish. Lack of cover seems to be the problem at Hocker Flat, as the depth and velocity are correct for fry.

Jim Spear questions whether now vegetation is considered "bad as maintaining berms" or "good as providing cover." Hemphill acknowledged this is confusing as the system is complex and there are disagreements about what we should do. Spear wondered whether we could really manage all this level of detail.

6. Gravel augmentation planning

Dave Gaeuman presented an update on the gravel augmentation project (hardcopy of the presentation is available as Attachment 2a). Gaeuman noted that gravel transport decreased to zero with the establishment of Lewiston Dam about 1960. This leads to the narrowing of the channel and establishment of the berm. With no gravel inputs from upstream, the substrate coarsened as the smaller particles moved out and were not replaced. To restore the fluvial process, gravel was added in hopes to increasing coarse sediment transport rates and decrease surface particle sizes. A "Coarse Sediment Management Plan" was finalized April 2007 and copies are available. The plan gives guidance on locations, methods, and sources of sediment. Rich Lorenz asked if the gravel additions might be filling fishing holes in the river. Gaeuman said no.

Gaeuman next demonstrated some of the assumptions and thinking that has guided how much gravel to add, the particle size class and where to add it. He showed series of different analyses and showed that the analyses agreed on the following guidelines: add about 10,000 to 15,000 tons per year; the particle diameter should range from 3/8 inches to 4 inches; the locations should be widely distributed in the near-term. In the long-term, the locations of the additions may be different. He showed sites that may receive both short term and long-term injections. This year, they plan to process 10,000 tons out of Indian Creek and put into Fish Hatchery, the weir hole, and the Sawmill outcrop.

Dave Gaeuman next briefly spoke about the watershed planning and implementation (hardcopy of the presentation is available as Attachment 2b). He described the watershed

program and how they have been coming up with a way to select projects and how to develop them. There is now a watershed coordinator and a Trinity Watershed Council whose goal is to benefit the Trinity River and the Trinity Community. The Watershed Council activities were reduced due to lack of funding, but they may be able to leverage project using TRRP funds. The TRRP listed an RFP on Grants.gov and a single proposal was received from Trinity County. This is expected to be awarded. The watershed council may start meeting again with this new grant. An ad-hoc watershed group has been operating during the interim period.

7. Integrated Assessment Plan (IAP) update

Tim Hayden, fisheries biologist for Yurok Tribe gave a status update of the Integrated Assessment Plan (IAP). Hayden provided some updates on personnel of the IAP steering committee. Curtis Anderson is transitioning out, as chairman and Hayden, Rod Wittler and Joe Polos are now the co-chairs. Also, the progress of the IAP has slowed somewhat recently due to shifts of strategies toward implementation of in-river project by the Trinity Management Council (TMC). He referred to a handout (Attachment 3) that summarized elements of the strategy and the schedule for Part II of the IAP.

Hayden noted that Part I of the IAP addresses the rationale for assessments, Part II addresses the methods. The TMC did not fully endorse Part I at their March meeting. The IAP committee is responding to comments by the TMC. Part II includes 25 steps consisting of workshops, writing assignments, edits that will produce a written document. Hayden said they intend to finalize the plan by late 2008.

Rod Wittler noted that the consulting firm, ESSA is going to provide support via a new contract. Byron Leydecker noted that document tracking (versions) is good as it helps ease of reading. Tom Weseloh noted that more help would be welcome as there is lots to do. Tom Weseloh hoped that they could avoid any future delays on the IAP. Whitridge noted that there are no guarantees. Douglas Schluesner noted that, given the push to streamline the EIR for the implementation work, more time should be freed up and more staff time will be available for the IAP in the coming months.

8. Reimbursibility of TRRP costs

Jerry Toenyes, consultant for the Northern California Power Association, spoke about reimbursibility of costs for the Central Valley Project (CVP). He first provided some history. The CVP was originally authorized in an Act of Congress in 1937. This authorized the building of Shasta Dam and the Tracy pumps. The original purposes of the act were to benefit power, flood control, navigation, river regulation, and water supply. Other projects have been added on to the CVP since then; the Trinity project was authorized to be added in 1955. The managing agency, the Bureau of Reclamation, was founded in 1902 and up to 1937, there were no reimbursable costs—the taxpayers paid for everything. This changed in 1939 when it was decided that the "beneficiaries" of the projects should share some of the costs. So "reimbursable costs" of the project are costs that must be paid by the identified "beneficiaries." Toenyes noted that some beneficiaries, such as navigation and flood control, could not be readily identified so

they generally do not pay costs. Legislation mainly determines who pays. Reimbursable costs include that for water supply and power; fish and wildlife is partially reimbursable and has changed over time. "Mitigation" activities are reimbursable, but "enhancement" activities are not. Toenyes said that it is difficult to distinguish between mitigation and enhancement.

Percentages of costs were allocated to various beneficiaries and broken out by "capital" and "operational." The allocation percentage used to allocate costs to the project purposes was last updated in 1969 and 1974. There have been significant operational changes to the CVP since then but no new allocations. The CVP has not yet been declared "complete" and there is yet to be a final cost allocation. (Bryon Leydecker pointed out that the capital costs are not entirely paid by the beneficiaries until the project is declared "complete.")

Costs for the Trinity division include 1) the facilities or infrastructure (capital and operation) and 2) the environmental restoration (capital and operation). Capital costs have to be paid within 50 years after they are incurred. Operational costs must be paid yearly. Facilities include the dam and power generation elements. Capital costs of Trinity River Diversion are $242 million. Power is assigned to pay $158 million of these (and have been mostly repaid); water supply pays $48 million. Operation costs are approximately $6.8 million per year (the four power plants are $3.3 million per year; the Trinity River fish hatchery is $1.8 million per year). Power pays $5.0 million of the operation costs; water supply pays $1.5 million. Toenyes noted that the operation costs and payments are his own estimates; the Bureau of Reclamation has not been tracking this very well and could not produce the exact numbers.

TRRP capital costs are $40 million; of this Buckhorn Dam was $26 million. Capital costs were originally assigned by legislation as 35 % non-reimbursable, 15 % state and counties, and 50% reimbursable (approximately 30 % payable by power, and 20 % payable by water users). The allocation of operation costs for the 1980 to 2006 period is not very clear as there were multiple acts covering three periods. Toenyes estimates that the total costs for capital and operation of the Trinity River Restoration of the Trinity has been about $200 million over the past 25 years ($160 million for operation and $40 million for capital). Power pays most of the reimbursable costs and water users pays about 40 %.

It was noted that the value per kilowatt of energy has not increased as fast as flood control benefits or even the value of an acre foot of water, but the CVP cost allocation percentages are still based on the 1974 allocation. Jim Feider also noted that the ROD flows have decreased the Trinity power generation.

2001-06 was the start of funding Trinity restoration from the Central Valley Project Improvement Act (CVPIA) and allocation for CVPIA impacts, called (b)(1) activities and bridges (b)(23) are 100 % reimbursable by water and power (totaling $55 to 66 million over the six years).

Legislation is currently being drafted that may make Trinity restoration costs after 2008 non-reimbursable and would save the power and water user considerable expenses.

Jim Feider responded to Byron Leydecker's comment on aid to irrigation and noted that the water users of the Tehama Colusa Canal cannot pay their portion of the capital costs of that project. It could be that the costs could end up in the power rates. Feider noted that the power users do not want these costs to come their way for a project that is not cost effective. This is why the power users are interested in having information on reimbursibility and cost tracking.

Serge Birk noted that the Tehama Colusa Canal changes are driven by endangered species. The water users are trying to cooperate with the regulatory agencies.

9. TRRP budget

Douglas Schluesner reported on the budget and the Director's report simultaneously; he spoke first on the Executive Director's report.

Schluesner noted the 2007 budget complications and his April 21st memo. He mentioned issues such as continuing resolution and an additional $1 million that was allocated from the CVPIA restoration fund. This $1 million is not being used to the effect it was hoped. It has been pared down to $400,000. There are no extra funds yet to complete repairs on damaged culvert on Browns Mountain Road and the restoration funds must be used to pay the costs due now. They will not be able to pay for the items in the "walkup table." He noted that the budget takes up a large portion of his time.

He noted that 2/3rds of the 2008 budget was approved by the Trinity Management Council (TMC). The administration (salaries) and the entire Implementation were approved. Several comprises were offered up but did not get the votes and the project portion of the TMAG budget was not approved. Schluesner reworked this portion of the budget. A conference call by the TMC still did not pass the reworked portion. This lack of budget resolution has now been promoted to the Secretary of Interior designees for a decision as provided by the ROD. He does not know what the outcome will be and any decision will not be until the end of this month.

Schluesner asked the TAMWG members to think about how to proceed differently on the 2009 budget and forward thoughts to him.

Jim Feider noted he is still not happy with the percentage allocations.

10. Executive Director's report

Douglas Schluesner handed out a memo constituting his report (Attachment 4). He noted adjustments to the budget, gravel additions, work at Indian Creek, planning at Dark Gulch and Lewiston, work on financial assistance agreements, and IAP. He noted several points such as the Integrated Information Management System, an alert sent out by the Klamath Fish Health Advisory Team for worsening conditions. He also noted the list of events and activities and referenced the website as a source of these.

11. TAMWG relationship with TMC

This item was discussed following item 12. Arnold Whitridge provided some opening comments that the Trinity Management Council (TMC) doesn't address issues presented by the TAMWG. Whitridge noted that the TMC bylaws state that the TMC will respond in writing to TAMWG comments or recommendations.

Whitridge passed out a draft of a letter (Attachment 5) that he had prepared. This letter outlined several concerns about inability to make timely decisions, ineffective communication, conflicts of financial interest, and neglect of SAB and TAMWG recommendations to remedy these issues.

Jim Spear asked if the TMC acknowledges their shortcomings. Whitridge thought they do recognize shortcomings but perhaps do not agree on what they are. Byron Leydecker noted several shortcomings such as conflicts of interests in financial distribution of the budget. He stated that the TMC is dysfunctional. Jim Feider asked of the value writing to the TMC.

Randy Brown, the designated federal official, noted that the bylaws states that the TAMWG reports to the TMC. If the TAMWG wants to make their issues known, the members can send letters elsewhere as individuals. Byron Leydecker noted that the decision by consensus for the TMC has proved to be unworkable. He stated it is very important that the TAMWG goes on record with their complaints.

Ed Duggan asked if there is a formal way for TAMWG recommendations to be incorporated into the TMC agenda as an action item. As it now stands, they listen, but do not act. Tom Weseloh also noted that the TMC ignores requests by the TAMWG to consider specific recommendations.

Several more issues were discussed such as to whom to address the letter. They discussed several specific points of the letter. There seemed to be strong support to send the letter.

Douglas Schluesner made the comment on the need to manage perceptions from the outside that there is not a large dissention, as this could hurt the program. He asked that the members consider the tone and language of this letter. He acknowledged the intent of the letter as good, but they should be thoughtful about how they will accomplish their objectives.

Rich Lorenz made a motion to send the TAMWG letter of concern to the TMC with minor edits.

Tom Weseloh seconded.

Motion unanimously passed by hand vote.

12. Integrated Information Management System (IIMS)

This item was discussed before item 11. Andreas Kraus gave a demonstration of the first operational version of the Integrated Information Management System (IIMS). He noted an upcoming meeting/workshop August 7-9 where members and others can use the systems and provide comments. He hoped that the database would be publicly available on the web. The BOR is considering using this system on other rivers such as the Klamath and San Joaquin.

13. Designated Federal Officer topics

Randy Brown noted that his topics had already been mostly covered. There were a few questions on keeping members that do not attend meetings. There was general consensus that there is not a good reason to have members that do not attend. Brown noted that membership expires in fall of 2008.

14. Tentative date and agenda topics for next meeting

Meeting dates were tentatively set for September 12, 2007.

Topics to consider for discussion included other restoration efforts, Chairman of the TMC to speak.

Mike Long was present and spoke briefly on issues of the program and things that can be done for improvements. He said he wasn't prepared to provide a debriefing at this time, but will do so at the TMC meeting tomorrow. He said that Kirk Rodgers and Steve Thompson are engaged. There is interest to make things work.

LIST OF MOTIONS

Ed Duggan made a motion to accept the March 2007 minutes.

Rich Lorenz seconded the motion.

The motion passed unanimously.

Rich Lorenz made a motion to send the TAMWG letter of concern to the TMC with minor edits.

Tom Weseloh seconded.

Motion unanimously passed by hand vote.

LIST OF ATTACHMENTS

1. Hardcopy of Power Point presentation "The Remaining 8 & Phase 2 Rehabilitation Sites." Handed out by John Klochak.

1a. Remaining 8 (R8) and Phase 2 Schedule (Summary): schedule of steps for the remaining 8 sites and Phase 2 (23 sites)

2. Hardcopy of Power Point presentation "Habitat Assessment: Process and Status." Placed at rear of room by TRRP Staff.

2a. Hardcopy of Power Point presentation "Gravel Augmentation: Current Specifications and Plans." Placed on table at rear of room by TRRP Staff.

2b. Hardcopy of Power Point presentation "Watershed Planning and Implementation." Placed at rear of room by TRRP staff.

3. IAP Part II—the plan. Version 2.01. Revised: 18 June 2007. Schedule and rationale for Part II of the Integrated Assessment Plan. Handed out by Tim Hayden.

4. Copy of memo to TMC and TAMWG from Douglas Schluesner. Subject: Director's report; March 29-June 18, 2007. June 19, 2007. Handed out by Douglas Schluesner.

5. Draft letter to Mike Long, Chair of Trinity Management Council from TAMWG stating concerns of leadership and decision-making. To be delivered to TMC meeting by Arnold Whitridge.

Other documents that were made available at the meeting:

1. Trinity River Restoration Program: Coarse Sediment Management Plan; 2007 Final Report Summary Brochure.

2. History of Bank Rehabilitation Sites/Explanation of Initial Mechanical Restoration Project Rankings.

3. Copy of Memo—Subject: “2007 Klamath River Pathogen Monitoring;” To: Klamath Fish Health Distribution List; From: Ken Nichols. 6/15/07